Attorney Docket No. AH / Le A 36 807

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gert Daube, et al.

Serial No.: [to be assigned] - National Stage Filing of PCT/EP2004/008629

Title: Novel Use of Quinolone Antibiotics

MAIL STOP PCT COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF DATE OF NATIONAL STAGE ENTRY 37 C.F.R. 1.97(b)(2)

Dear Sir:

Applicants wish to cite for the record in the above-identified application the references shown on the accompanying form(s) PTO/SB/08A-B [substitute for form 1449/PTO]. A copy of the International Search Report is also enclosed for your reference.

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement transmitted herewith is being filed concurrently with the request under 35 U.S.C. § 371(f) to begin national examination procedures.

FEE PAYMENT

Applicants believe that no fees are due with this submission. However, the Commissioner is hereby authorized to charge any fees that may have been overlooked but that are required to Deposit Account 13-3372. Additionally, please credit any overpayment to the same account.

Respectfully submitted,

Susan M. Pellegrino Reg. No.: 48,972

Attorney for Applicant(s)

Bayer Pharmaceuticals Corporation 400 Morgan Lane West Haven, CT 06516 Telephone: (203) 812-6450

Facsimile: (203) 812-6459

10/567057 IAP9 Rec'd PCT/PTO 01 FEB 2006

PTO/SB/08A (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTC	Substitute for form 1449/PTO			Complete if Known			
			Application Number	[to be assigned]			
INFORMATIO	N DISCL	OCUBE	Filing Date				
			First Named Inventor	Gert Daube			
STATEMENT			Art Unit				
(Use as many s	sheets as necessa	ry)	Examiner Name				
Sheet 1	of	2	Attorney Docket Number	AH / Le A 36 807			

Examiner	Cito	Description Alicenter	U. S. PATENT D		I Danie Octomera than 199
Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
	İ				
		US-	T		
		US-			
		US-			
		US-			
		US-			
		US-			
• • • • • • • • • • • • • • • • • • • •		US-	 		
		US-			
		US-			
		US-			-
		US-			
		US-	 		_
		US-			<u> </u>
		US-	 		

FOREIGN PATENT DOCUMENTS								
Examiner Cite No.1		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages			
	Country Code ^{3 ^} Number ^{4 *} Kind Code ⁵ (# known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵			
	F1	WO 97/310001 A1	08-28-1997	Baye Aktiengesellschaf				
	ļ							
						<u> </u>		
						پــــــــــــــــــــــــــــــــــــــ		

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate by the appropriate of the patent document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form call 1-800-PTO-9199 (1-800-786-9199) and select option 2

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known		
				Application Number	[to be assigned]	
INFO	DRMATION	I DIS	CLOSURE	Filing Date		
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Gert Daube	
	(1100 00 00000 010			Art Unit		
	(Use as many she	ets as ne	ecessary)	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	AH / Le A 36 807	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R1	Bansal, M. B., et al., "Activity of Difloxacin (A-56619) and A-56620 against Clinical Anaerobic Bacteria In Vitro", Antimicrobial Agents and Chemotherapy, 31(4): 619-621 (April 1987)	
	R2	Coulet, M., et al., "Pharmacokinetics of ibafloxacin Following intravenous and oral administation to healty Beagle dogs", J. Vet. Pharmacol. Therap. 25: 89-97 (2002)	
	R3	Da Silva, A. D., et al., "Biological Activity and synthetic Metodologies for the Preparation of Fluoroquinolones, A Class of Potent Antibacterial Agents", Current Medicinal Chemistry, 10(1): 21-39 (2003)	
	R4	Goldstein, E. J. C., et al., In Vitro Activities of a New Des-Fluoroquinolone, BMS 284756, and Seven Other Antimicrobial Agents Against 151 Isolates of Eikenella corrodens", Antimicrobial Agents and Chemotherapy, 46(4): 1141-1143 (April 2002)	,
	R5	Granneman, G. R., et al., "Difloxacin Metabolism and Pharmacokinetics in Humans after Single Oral Doses", Antimicrobial Agents and Chemotherapy, 30(5): 689-693 (November 1986)	
	R6	Hecht, D. W., et al., "Activities of Garenoxacin (BMS-284756) and Other Agents Against Anaerobic Clinical Isolates", Antimicrobial Agents and Chemotherapy, 47(3): 910-916 (March 2003)	
_	R7	McGuirk, P. R., et al. "Synthesis and Structure-Activity Relationships of 7- Diazabicycloalkylquinolones, Including Danofloxacin, a New Quinolone Antibacterial Agent for Veterinary Medicine", J. Med. Chem. 35(4): 611-620 (February 1992)	
	R8	Slots, J., "Selection of Antimicrobial Agents in Periodontal Therapy", J. Periodont. Res., 37: 389-398 (2002)	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.